IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2322 OF 2004
IN
SUMMARY SUIT NO.3835 OF 2003

Madhusudan Shrikrishna ...Plaintiff

Vs.

M/s.Emkay Exports & Ors. ...Defendants

Mr.N.D.Jaywant, Adv. for Plaintiff

Ms.R.P.Tripathi, Adv. for Defendants

CORAM: D.G. DESHPANDE,J.
DATED: 13TH SEPTEMBER, 2004

P.C.

. This Motion is taken out by the Defendants for setting aside Ex-Parte Decree. Advocate for the Defendants states that there were five suits, in four suits filed Vakalatnama and in the present suit Vakalatnama could not be filed. The suit is for the money claim.

. The Motion is strongly opposed by the Counsel for the Plaintiff, however, on the explanation given by the learned Advocate for Defendants, this Motion is allowed, Ex-Parte Decree is set aside subject to payment of cost of Rs.5000/-. Payment of cost is condition precedent, to be paid within three weeks. Hence, this Motion is disposed of.

(D.G.DESHPANDE)

JUDGE